



Attorney's Docket No. 998-932

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Jim Gammon

Serial No.: 10/615,096

Filed: July 8, 2003

For: VEHICLE SEAT CARGO STORAGE APPARATUS

Confirmation No. 8659

Group Art Unit: 3612

October 14, 2003

Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCORD THE PROPER FILING DATE

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicant hereby petitions to grant the proper filing date of **July 8, 2003** rather than July 9, 2003 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of **July 8, 2003** being the correct filing date for the application which was properly filed under 37 C.F.R. § 1.10:

1. A true and accurate copy of the Cover Sheet for the Application showing the Certificate of Express Mail on Page 2.
2. A true and accurate copy of the Express Mail Receipt marked by the United States Postal Service ("USPS") as a "date-in" or deposit date with the USPS on July 8, 2003.
3. A true and accurate copy of the Track & Confirm from the United States Postal Service website (www.usps.com) indicating receipt of the Express Mail package at the Post Office on July 8, 2003 and delivery of the package at the USPTO on July 9, 2003; and
4. A true and accurate copy of our return post card sent by the United States Patent and Trademark Office, showing that Applicant was improperly given the filing date of July 9, 2003 instead of the Express Mail date of July 8, 2003.

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This petition is being filed promptly after Applicant became aware of the improperly accorded filing date. Accordingly, Applicant respectfully requests the granting of **July 8, 2003** as the filing date pursuant to 37 CFR § 1.10.

On the basis that Applicant properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicant's belief that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

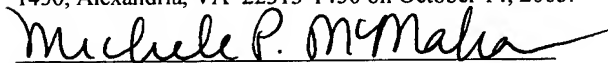


Needham James Boddie, II
Attorney For Applicant
Registration No. 40,519

USPTO Customer No. 20792
Myers Bigel Sibley & Sajovec, P.A.
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Office of Patent Legal Administration, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 14, 2003.


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P.O. Box 1450
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Serial No. 13A
Inventor: Gannon

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Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant

21707 U.S. PTO
10/615096

07/09/03



MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Patent Lawyers
P.O. Box 37428
Raleigh, NC 27627 U.S.A.